

02-04-08

1635



Express-Mail Label No. EV 970 579 515 US

Attorney Docket No. 50450-8055.US00

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Date:

February 1, 2008

By:

Lynnea B. Kennelly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Iversen, P.

SERIAL NO.: 10/567,470

I.A. FILING DATE: 08/06/2004

FOR: **SENSE ANTIVIRAL COMPOUND AND
METHOD FOR TREATING ssRNA VIRAL INFECTION**

Examiner: Not yet assigned

Group Art Unit: 1635

Confirmation No. 4986

Response to Notice to File Missing Parts of Nonprovisional Application

Mail Stop Missing Parts
Assistant Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. In response to the Notification of Defective Response mailed on January 17, 2008 (copy enclosed), applicant submits the following:

- ☒ A Preliminary Amendment
☒ A Sequence Listing, diskette and matching declaration

2. Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

3. Fee Payment

- ☒ No fees are believed to be due with this communication, however the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2207.

Respectfully submitted,

Daniel A. Rubé

Daniel A. Rubé

Registration No. 53,536

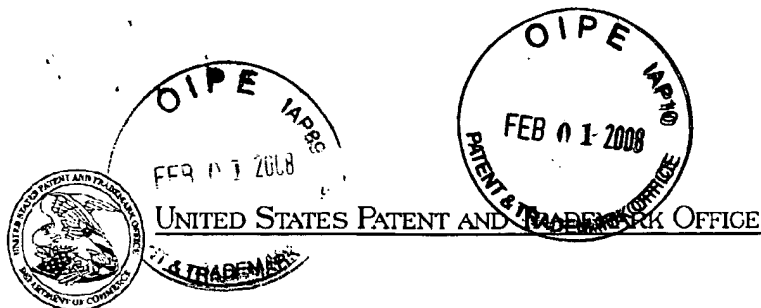
Date:

2/1/2008

Correspondence Address:

Customer No. 22918

Phone: (650) 838-4428



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/567,470	Patrick L. Iversen	504508055US00

22918
PERKINS COIE LLP
P.O. BOX 2168
MENLO PARK, CA 94026

INTERNATIONAL APPLICATION NO.	
PCT/US04/25401	

I.A. FILING DATE	PRIORITY DATE
08/06/2004	08/07/2003

CONFIRMATION NO. 4986
371 FORMALITIES LETTER



Date Mailed: 01/17/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 02/06/2006
- Copy of the International Search Report filed on 02/06/2006
- Copy of IPE Report filed on 02/06/2006
- Preliminary Amendments filed on 11/30/2006
- Information Disclosure Statements filed on 11/30/2006
- Oath or Declaration filed on 11/30/2006
- Biochemical Sequence Listing filed on 02/06/2006
- U.S. Basic National Fees filed on 02/06/2006
- Priority Documents filed on 02/06/2006
- Power of Attorney filed on 11/30/2006

Applicant's response filed 11/30/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/31/2006 have not been completed.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Refer to attachment or PAIR document dated .
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter,

as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A SHELTON

Telephone: (703) 308-9140 EXT 207